

Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 23 and 25 are amended, claims 2, 3, 15-22 and 24 are canceled, and claims 29-34 are added. These amendments to the claims constitute a bona fide attempt by applicant to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. FIG. 3 has been amended to add the reference numeral “314”. Support for the amendments can be found throughout the specification (e.g., page 4, lines 3-29; page 5, line 16 to page 6, line 12), figures 1-4, and the claims originally filed. Claims 1, 4-14, 23 and 25-34 are pending.

Claim Objections

Claim 25 was objected to because of informalities. Claim 25 has been amended to add a concluding period, as graciously suggested in the Office Action.

Withdrawal of the objection to claim 25 is therefore respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-14, 23-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by Horn (U.S. Patent No. 6,556,670; “Horn”). Of these rejected claims, claims 1 and 23 are independent. This rejection is respectfully, but most strenuously, traversed.

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since the Office Action's citations to each of the applied references is missing at least one element of each of applicants' independent claims, applicants respectfully submit that the claimed invention is not anticipated by the Office Action's citations to the applied references, as further discussed below.

For explanatory purposes, applicants discuss herein one or more differences between the Office Action's citations to the applied reference and the claimed invention with reference to one or more parts of the applied reference. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Office Action's citations to the applied reference correspond to the claimed invention.

Claim 1 and claims dependent therefrom

Applicants respectfully submit that the Office Action's citations to the applied reference does not teach or suggest one or more elements of the claimed invention. A careful reading of the Office Action's citations to the applied reference fails to teach or suggest, for example,

a method of filtering an audio stream between an individual caller in a communication network and an individual call destination,

in which the audio stream from the call destination is intercepted at an intelligent network node in the communication network,

the audio stream between individual end points is filtered, that is, part of the individual audio stream is removed, and

the filtered audio stream is sent to the caller's audio-capable device as recited in applicants' independent claim 1.

Horn (column 5 lines 3-27; FIG. 2) discloses an arrangement for disconnecting an offending caller from a conference call, thus canceling all communication with the offending caller:

Central processing unit 21 then directs merging/summing subsystem to stop merging audio from the identified audio channel, or offending audio channel, onto the audio channels connecting the other conferees to the audio conference bridge, and to stop merging audio from all the other conferees onto the offending audio channel. Once this is done, the offending conferee will no longer be able to communicate with the other conferees, and the other conferees will no longer hear the music-on-hold signals transmitted by the offending conferee.

When this happens, central processing unit 21 directs message generator 23 to send a continuous message over the offending audio channel to inform the offending conferee that he/she has been temporarily disconnected from the conference due to the presence of music-on-hold, and that he/she can rejoin the conference by transmitting a given reconnect signal. For example, message generator 23 may continuously transmit the message "We have detected 'Music on Hold' from your line, and have temporarily disconnected you from the conference. To get back to the conference, please hit touch-tone one twice." While message generator 23 sends such a message, central processing unit 21 directs touch-tone detector 24 to continuously monitor the offending audio channel for the touch-tone, or reconnect, signal. (emphasis added)

Horn discloses total disconnection of a caller's entire audio stream from a conference with other callers. The Office Action's citation to Horn fails to disclose a connection-preserving filtering of an audio stream from a call destination and sending the filtered audio stream to the caller. Simply missing from the Office Action's citation to Horn is any mention of a method of filtering an audio stream between a caller in a communication network and a call destination, comprising the steps of intercepting the audio stream from the call destination at an intelligent network node in the communication network, identifying at least one portion of the audio stream

for removal, removing the at least one portion of the audio stream resulting in a filtered audio stream, and sending the filtered audio stream to the audio-capable device, as recited in applicants' independent claim 1.

So, the Office Action's citation to Horn fails to satisfy at least one of the limitations recited in applicants' independent claim 1.

Furthermore, the Office Action does not allege that the art of record provides any teaching, suggestion, or incentive for modifying the citation to Horn to provide the claimed approach.

For all the reasons presented above, claim 1, is believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for the same reasons as independent claims 1, as well as for their own additional characterizations.

Claim 23 and claims dependent therefrom

Applicants respectfully submit that the Office Action's citations to the applied reference does not teach or suggest one or more elements of the claimed invention. A careful reading of the Office Action's citations to the applied reference fails to teach or suggest, for example, an apparatus in an intelligent network node in a communication network, that filters an audio stream between a caller in the communication network and a call destination, comprising a receiver for receipt of the audio stream from the call destination, a controller coupled to the receiver that identifies at least one portion of the audio stream that was originally sent to the receiver, a filter coupled to the receiver and the controller that removes the at least one portion of the audio stream resulting in a filtered audio stream.

As pointed out above with reference to claim 1, Horn discloses an arrangement for disconnecting an offending caller from a conference call, thus canceling all communication with the offending caller.

Horn discloses total disconnection of a caller's entire audio stream from a conference with other callers. The Office Action's citation to Horn fails to disclose an apparatus in an intelligent network node in a communication network, that filters an audio stream between a caller in the communication network and a call destination, without disconnecting the call. Simply missing from the Office Action's citation to Horn is any mention of an apparatus in an intelligent network node in a communication network, that filters an audio stream between a caller in the communication network and a call destination, comprising a receiver for receipt of the audio stream from the call destination, a controller coupled to the receiver that identifies at least one portion of the audio stream that was originally sent to the receiver, and a filter coupled to the receiver and the controller that removes the at least one portion of the audio stream resulting in a filtered audio stream, as recited in applicants' independent claim 1.

So, the Office Action's citation to Horn fails to satisfy at least one of the limitations recited in applicants' independent claim 1.

Furthermore, the Office Action does not allege that the art of record provides any teaching, suggestion, or incentive for modifying the citation to Horn to provide the claimed configuration.

For all the reasons presented above, claim 23 is believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for the same reasons as independent claim 23, as well as for their own additional characterizations.

Withdrawal of the § 102 rejections is therefore respectfully requested.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



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Drawing Amendments

Kindly substitute the enclosed replacement drawing sheet 2 for the prior drawing sheet 2. On replacement drawing sheet 2, FIG. 3 has been amended to add the reference numeral "314". Approval and entry of the replacement drawing sheet 2 is respectfully requested.